IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER ST.NO.29511 OF 2004

Naseem Khan Sajjad Hussain Allah ...Appellant

Vs.

Ram Gopal Verma & Ors. ...Respondents

Shri M.V.Holmagi for the Appellant

CORAM: A.S.OKA, J.
DATED: JANUARY 10, 2005.

P.C.:

1. Objection is waived.

2. Appeal is preferred by the Appellant for challenging ad-interim order passed by the learned Trial Judge declining to grant ad-interim injunction. My attention has been invited to the statement of the learned Counsel appearing for Respondent No.1 recorded by this Court on November 16, 2004, in which it is disclosed that the film "Naach" has already been released on 12th November 2004. In view of this position there is no question of granting any ad-interim relief at this stage. The Notice of Motion is still pending in the City Civil court, Bombay. The Appellant can raise all permissible contentions in the Notice of Motion.

3. Hence, this Appeal is not entertained. Appeal is dismissed with no order as to costs.

4. It is made clear that the pending Notice of Motion will be decided on its own merit without being influenced by the

impugned order and confirmation thereof by this Court. Liberty to apply for fixing early date of hearing of Notice of Motion before the concerned Judge.

5. Parties to act upon an authenticated copy of this order.

Judge.